

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA

vs.

WILLIE BUTLER

Defendant.

Crim. No. 05-740 (WHW)

ORDER

This matter having come before the Court on the joint application of Christopher J. Christie, United States Attorney for the District of New Jersey (by Eric H. Jaso, Assistant U.S. Attorney), and defendant Willie L. Butler (by Richard J. Verde, Esq.) for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of the filing of the Indictment in this case pursuant to Title 18 of the United States Code, Section 3161(c)(1) (the "Speedy Trial Act"), and as the defendant has consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. The Court originally set trial for December 20, 2005;
2. By its Order dated November 17, 2005 the Court revised the pre-trial motion schedule and adjourned the trial without date;

3. Per the letter of Richard J. Verde, Esq. dated December 15, 2005, the Court granted defendant Butler a two-week extension in the deadlines for the filing of pre-trial motions and responses;

4. Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to finalize a plea agreement, which would render trial of this matter unnecessary; and

5. Defendant has consented to the granting of a continuance of up to 60 days;

6. Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, on this 21 day of December, 2005, it is hereby

ORDERED that defendant's pre-trial motions shall be filed on or before December 30, 2005; the government's response to defendant's pre-trial motions shall be filed on or before January 20, 2006; oral argument on pre-trial motions is scheduled for January 27, 2006, and trial is scheduled for February 28, 2006; and it is further

ORDERED that the period from December 20, 2005 through February 28 2006, shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(8).



WILLIAM H. WALLS
United States District Court Judge